United Nations A/54/659

General Assembly

Distr.: General
9 December 1999

Original: English

Fifty-fourth session
Agenda items 121 and 48
Proposed programme budget for the biennium 2000-2001
The situation of democracy and human rights in Haiti

International Civilian Support Mission in Haiti

Programme budget implications of draft resolution A/54/L.36

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly on programme budget implications of draft resolution A/54/L.36 (A/C.5/54/38). During its consideration of the statement, the Committee met with representatives of the Secretary-General who provided additional information.

2. As indicated in paragraphs 3 and 5 of the statement, under the terms of draft resolution A/54/L.36, the General Assembly would decide to establish an International Civilian Support Mission in Haiti (MICAH) in order to consolidate the results achieved by the International Civilian Mission in Haiti (MICIVIH), the United Nations Civilian Police Mission in Haiti (MIPONUH) and previous United Nations missions in Haiti. The Advisory Committee notes that the role and functions of MICAH are described in paragraphs 69 and 70 of the report of the Secretary-General on the situation of democracy and human rights in Haiti (A/54/625).

3. The mandate of the Mission is indicated in operative paragraph 5 of draft resolution A/54/L.36, including the technical assistance elements in subparagraphs (c) and (e). In accordance with its mandate, MICAH would pursue the activities of its predecessors in the areas of institutional consolidation of the police, judicial reform, capacity-building and human rights verification and advocacy (A/C.5/54/38, para. 11). The Advisory Committee recalls that those activities have been funded primarily from assessed contributions. Upon enquiry, the Committee was informed that the activities of MICIVIH have been focused primarily on monitoring, verification and protection of human rights. Until 30 June 1999, the Organization of American States worked jointly with MICIVIH to provide human rights observers and regional coordinators. There was no extrabudgetary funding for MICIVIH activities. The activities of MIPONUH have focused on supporting and contributing to the professionalization of the Haitian National Police. The activities of MICAH would consolidate the gains achieved by MICIVIH and MIPONUH and would focus more on capacity-building, training and providing advisory services for strengthening judicial, human rights and civilian police services.

4. According to the statement of the Secretary-General the new mission would be a special political mission, with a substantial technical cooperation element attached and having no peacekeeping elements (A/C.5/54/38, para. 3).

5. The initial mandate of MICAH would start at the closing of the MIPONUH mandate and continue until 6 February 2001. In its resolution 1277 (1999) of 30 November

99-38237 (E) 101299

1999, the Security Council extended the mandate of MIPONUH to 15 March 2000 to ensure a phased transition to the new mission. The MICIVIH mandate would continue, for the period from 1 January to 15 March 2000, until the commencement of MICAH (ibid., para. 7).

6. Pursuant to draft resolution A/54/L.36, the Secretary-General has estimated the requirements of extending MICIVIH for the period from 1 January to 15 March 2000 in the amount of $1,180,100 and of the MICAH mandate, for the period from 16 March 2000 to 6 February 2001, in the amount of $9,173,100. These amounts would be charged against the provision for special missions under section 3, Political affairs, of the proposed programme budget for the biennium 2000-2001.[1] The provision for special political missions is reflected in the proposed programme budget for the biennium 2000-2001 in accordance with General Assembly resolution 53/206 of 18 December 1998.[2] In this connection, the Advisory Committee points out that the provision for special missions in the proposed programme budget for the biennium 2000-2001 is not allocated in advance to any particular mission.

7. As indicated in the statement (ibid., para. 10), MICIVIH would continue to carry out its activities in the areas of institution-building, judicial reform, promotion and protection of human rights and public information, pending the commencement of MICAH on 16 March 2000. Annex IV to the statement provides a breakdown of cost estimates totalling $1,180,100 for MICIVIH for the period from 1 January to 15 March 2000. The current and proposed staffing requirements for MICIVIH comprise 38 posts for internationally recruited staff (34 Professional, 2 Field Service and 2 General Service posts), 45 Local level posts and 6 United Nations Volunteers. The Advisory Committee was provided with the authorized staffing levels and the actual staff on board for MIPONUH and MICIVIH, as follows:

	Posts	
	Authorized	*Encumbered*
MIPONUH		
Civilian police	300	282
International staff	74	61
Local staff	133	132
United Nations Volunteers	17	12
MICIVIH		
International staff	38	34
Local staff	45	45
United Nations Volunteers	6	6

In accordance with paragraph 4 of draft resolution A/54/L.36, the personnel and goods of MICIVIH and MIPONUH would be transferred to MICAH as needed.

8. The objectives of MICAH and its plan of operations are described in the report of the needs assessment mission to Haiti, conducted from 11 to 15 October 1999 (A/54/629, annex). Upon request, the Advisory Committee was informed that the needs assessment mission had recommended a "critical mass" of staff necessary to perform the functions of the Mission. The positions identified for the three mutually reinforcing and complementary (integrated) "pillars" of justice, police and human rights, as well as for the Office of the Representative of the Secretary-General, exclusive of the Administration, are considered the minimum necessary for the satisfactory performance of the Mission.

9. MICAH would be utilizing technical advisers and trainers. The structure of the Mission would consist of the Office of the Representative of the Secretary-General, the Justice Section, the Police Section, the Human Rights Section and the Administration Unit (A/C.5/54/38, para. 13). Effective implementation of the mandate of the Mission in areas mentioned above will require the deployment of personnel in the capital, Port-au-Prince, and in departments throughout the country (A/54/629, annex, para. 9). The activities of the Mission would complement those of other multilateral and bilateral programmes devised within the framework of Economic and Social Council resolution 1999/11 of 27 July 1999 on the formulation of a long-term strategy and programme of support for Haiti (A/C.5/54/38, para. 11).

10. The statement submitted by the Secretary-General describes in some detail the proposed structure of the Mission and the distribution of functions (ibid., paras. 14-22). The proposed staffing requirement for MICAH includes 51 posts for internationally recruited staff (25 Professional, 16 Field Service and 10 General Service) and 97 Local level staff (ibid., annex I.B). The Advisory Committee notes from paragraphs 14 and 15 of the statement that MICAH, like MIPONUH, would be headed by a Representative of the Secretary-General at the D-2 level, who would be responsible for the overall supervision of the activities of the Mission. There would also be a programme coordinator at the D-1 level, who would have substantive supervisory responsibility for the activities of the Mission. Upon enquiry, the Committee was informed that since the Representative of the Secretary-General's position is at the level of D-2, the position of the programme coordinator could be considered only at the D-1 level. The proposed staffing of MICAH would be supplemented by international and local experts for its technical assistance component in order to provide

advisory services and training and to assist in capacity-building in the areas of justice, police and human rights. The Advisory Committee requested and was provided with a schedule of proposed staffing requirements for MICAH that would be financed from extrabudgetary resources (see the annex to the present report).

11. The estimated costs of the initial mandate of MICAH in the amount of $9,173,100 would be funded from the regular budget, as indicated above. The technical assistance component of the Mission, estimated at $14,734,200, would be funded from extrabudgetary resources (see A/C.5/54/38, para. 25). In this connection the Advisory Committee recalls that technical assistance was an integral part of the MICIVIH mandate, as endorsed by the General Assembly in its resolution 53/95 of 8 December 1998. The Committee was provided, upon request, with a summary statement of the extrabudgetary cost estimates for MICAH by category of expenditure (see annex). The Committee points out that the basis for the proposed mode of funding for MICAH is not clearly explained in the statement submitted by the Secretary-General and requests that an adequate explanation be provided to the Fifth Committee in this regard.

12. It is indicated in the statement (A/C.5/53/38, para. 25) that $9,475,144 of the total extrabudgetary requirement of $14,734,200 would be made available from the trust fund for the enhancement of the capacity of the United Nations Support Mission in Haiti/United Nations Transition Mission in Haiti. Upon enquiry, the Advisory Committee was informed that the Secretariat had been informed orally that additional funds in the amount of $5,259,056, in support of extrabudgetary requirements, would be made available by the Friends of Haiti; however, pledges were not available in writing. The Committee requested information on reimbursement of programme support costs. It was informed that technical assistance advisers and trainers would be financed from extrabudgetary resources and would be subject to established procedures for the acceptance and use of technical cooperation personnel, including those recruited under a non-reimbursable loan arrangement, as experts on mission. The acceptance of personnel under a non-reimbursable loan is governed by administrative instruction ST/AI/231/Rev.1 and is subject to the provisions of financial regulation 7.2. A non-reimbursable loan is defined as a loan of the services of an individual without any cost to the United Nations (ST/AI/231/Rev.1, para. 3). Non-reimbursable loans are normally requested to assist in the execution of technical cooperation activities (ibid., para. 4), and the donor is expected to contribute to the United Nations 14 per cent of the cost of the loan to cover servicing and administrative costs. Any additional specific costs arising from a non-reimbursable loan, such as travel and subsistence or the rental or purchase of equipment, must either be borne by the donor or must have already been provided for either in the regular budget or in extrabudgetary funds (para. 11).

13. The Advisory Committee is of the view that the total estimated resource requirements for the mission in Haiti of $10,353,200 ($9,173,100 for MICAH and $1,180,100 for MICIVIH) to be funded from the regular budget and $14,734,200 to be funded from extrabudgetary resources may not be sufficient to cover all the potential requirements identified in the report on the needs assessment mission to Haiti.

14. The Advisory Committee recommends that the fifth Committee inform the General Assembly that, should it adopt the draft resolution contained in document A/54/L.36, the requirements of $10,353,200 ($9,173,100 for MICAH and $1,180,100 for MICIVIH) would be charged against the provision for special political missions requested in section 3, Political affairs, of the proposed programme budget for the biennium 2000-2001.

15. The Advisory Committee wishes to inform the General Assembly that it has received a request from the Secretary-General for commitment authority up to the amount of $2,201,284 gross ($1,987,784 net) in order to meet the additional cost of extending MIPONUH (as referred to in para. 5 above), in accordance with the provisions of section IV of General Assembly resolution 49/233 A of 23 December 1994. The additional requirements will be reported to the General Assembly in the performance report. The Advisory Committee has concurred in that request.

Notes

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 6* (A/54/6/Rev.1).

[2] Ibid., para. 3.85.

Annex

Extrabudgetary cost estimates for the International Civilian Support Mission in Haiti (MICAH) for the period from 16 March 2000 to 6 February 2001

A. Summary statement

(Thousands of United States dollars)

Category of expenditure	*Total requirements*
I. Civilian personnel costs	
1. International and local staff	12 918.0
2. United Nations Volunteers	604.8
Total, category I	**13 522.8**
II. Operational costs	
1. Premises/accommodation	262.3
2. Transport operations	263.2
3. Air operations	255.4
4. Communication	142.6
5. Other equipment	161.4
6. Miscellaneous services	32.5
7. Miscellaneous supplies	94.0
Total, category II	**1 211.4**
Total	**14 734.2**

B. Proposed staffing requirements for MICAH financed from extrabudgetary resources

	Advisers and trainers							*Local staff*			
	L-4	*L-3*	*L-2*	***Total***	*Field Service*	*General Service*	***Total International staff***	*National Officer*	*General Service*	*United Nations Volunteers*	***Grand Total***
Substantive											
Office of the Representative of the Secretary-General	-	-	-	-	-	-	-	-	-	-	-
Justice Section	16	17	-	**33**	-	-	**33**	-	10	-	**43**
Police Section	17	17	-	**34**	-	-	**34**	-	10	-	**44**
Human Rights Section	7	24	-	**31**	-	-	**31**	-	10	-	**41**
Total, substantive	**40**	**58**	**-**	**98**	**-**	**-**	**98**	**-**	**30**	**-**	**128**

	Professional category and above									
	P-4	*P-3*	*P-2*	***Total***	*Field Service*	*General Service*	***Total International staff***	*General Service*	*United Nations Volunteers*	***Grand total***
Administration										
Chief Administrative Officer	-	-	-	-	-	-	-	-	-	-
Finance	-	-	-	-	-	-	-	-	-	-
Communications/electronic data-processing	1	-	-	**1**	-	-	**1**	-	4	**5**
Personnel	-	-	-	-	-	-	-	-	-	-
Procurement	-	-	-	-	-	-	-	-	-	-
Building management and engineering/ general services	1	-	-	**1**	-	-	**1**	-	4	**5**
Transport	1	-	-	**1**	-	-	**1**	5	4	**10**
Security	-	-	-	-	-	-	-	-	-	-
Air operations	-	-	-	-	-	-	-	-	-	-
Total, administration	**3**	**-**	**-**	**3**	**-**	**-**	**3**	**5**	**12**	**20**
Total	**43**	**58**	**-**	**101**	**-**	**-**	**101**	**35**	**12**	**148**